

Deferred Action for Parental Accountability & Expansion of DACA



On November 20, 2014, President Obama announced **10 areas** where his Administration will modify immigration policy. In general, these reforms fall into three categories: (1) changes to immigration enforcement policy; (2) deferred action expansion; and (3) changes to our legal immigration system. This Fact Sheet will focus exclusively on the expansion of deferred action.

Deferred Action for Parental Accountability (DAPA)

Deferred action is a temporary protection from deportation. Through it, a person is authorized to remain in the United States temporarily and to receive employment authorization.

The Deferred Action Memo calls on USCIS to establish a process, similar to DACA, for granting deferred action to individuals who:

- Have, as of November 20, 2014, a son or daughter of any age, who is a U.S. citizen or lawful permanent resident;
- Have continuously resided in the United States since before January 1, 2010;
- Are physically present in the United States on November 20, 2014, and at the time of making a DAPA request;
- Have no lawful status on November 20, 2014;
- Are not an enforcement priority, defined as: people suspected of terrorism, gang associations, or significant visa abusers, recent unlawful border crossers, and people convicted of felonies, aggravated felonies, significant misdemeanors, or three or more misdemeanors;^[i] and
- Present no other factors that would cause USCIS to deny the request in its exercise of discretion.

Applicants must pay an approximate \$465 filing fee and submit to fingerprints. As with DACA, there will be a very limited fee exemption and no fee waivers. Those who receive deferred action under the DAPA program will receive employment authorization for a three-year period. We estimate that USCIS will begin accepting applications for DAPA by **May 20, 2015**.

How You Can Prepare

Even if you are eligible for these programs, **you cannot apply yet**. However, potential beneficiaries can start collecting the documents listed below now because you may need to provide proof of:

Identity — Birth Certificate and a photo identification (ID). Passport, school or military ID, or any U.S. document with your name and photo, like a Driver's License ID.

Entry to the United States before January 1, 2010 — Immigration records or documents with your date of entry. You may also use rent receipts, utility bills, or employment records.

Presence in the U.S. on November 20, 2014 — Employment records, bank statements and other financial records. Utility bills, rental agreements, religious or community organization records, etc.

Proof of U.S. citizen or lawful permanent resident son or daughter — Birth certificates, child's U.S. passport or naturalization certificate, child's green card.

ⁱ Immigration enforcement priorities include other categories detailed in the Jeh Johnson Memorandum entitled "Policies for the Apprehension, Detention, and Removal of Undocumented Immigrants" (Nov. 20, 2014).

Expansion of Deferred Action for Childhood Arrivals

The Deferred Action Memo makes three major modifications to the DACA program:

1. It removes the age cap. The Deferred Action Memo eliminates the requirement that an individual be under the age of 31 on **June 15, 2012**.
2. The start date for the continuous residence period is advanced from June 15, 2007, to January 1, 2010. At this time, to be eligible for DACA an individual must have resided in the United States continuously from January 1, 2010, up to the present.
3. DACA grants will now last three years instead of two. Effective November 24, 2014, all first-time DACA approvals as well as all DACA renewals shall be effective for three years instead of two.

USCIS will begin accepting applications under the new criteria by **February 18, 2015**.

Are You Getting the Right Immigration Help?

Many people offer help with Immigration Services but not all are authorized to do so. In Nevada, there are several recognized organizations and accredited representatives:

Recognized Organizations		
Carson City:	Volunteer Attorneys for Rural Nevadans	775-883-8278
Las Vegas:	Catholic Charities of Southern Nevada	702-383-8387
	Hermanidad Mexicana Transaccional	702-598-0052
	Legal Aid of Southern Nevada	702-386-1070
Reno:	Catholic Community Services of Northern Nevada	775-322-7073

For a complete list, please visit: www.justice.gov/eoir/ra/raroster_orgs_reps_state_city.htm#NEVADA

Going to the wrong place can end up delaying your application, costing you unnecessary fees and may possibly lead to your being placed in deportation proceedings. Beware of Immigration Scams. Applications are not being accepted at this time and the wrong help can hurt you. To report immigration fraud or Unauthorized Practice of Law, we encourage you to contact the following organizations to file a complaint:

- The State Bar of Nevada: www.nvbar.org/node/119
- State of Nevada Attorney General: [http://ag.nv.gov/Bureau_of_Consumer_Affairs\(BCP\)](http://ag.nv.gov/Bureau_of_Consumer_Affairs(BCP))

DHS USCIS launched a campaign to help you avoid fraud and immigration services scams. You will obtain the facts when it comes to immigration assistance by visiting this website www.uscis.gov/avoid-scams.

Stay tuned as the Department of Homeland Security (DHS) produces more information in the coming months.

Visit www.uscis.gov/immigrationaction for more information.

Reid.senate.gov • @SenatorReid • Toll Free for Nevadans: 1-866-SEN-REID

